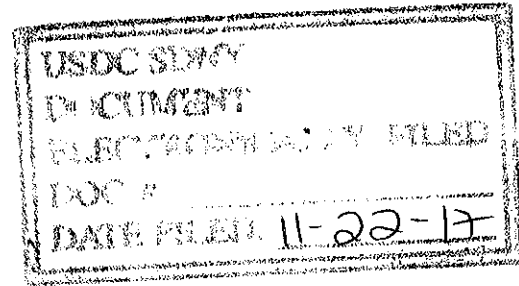


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November 20, 2017

Hon. Loretta A. Preska,
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Stephen Walsh v. United States, 17cv 6651(LAP)
United States v. Greenwood (Walsh) 09cr522

Dear Judge Preska:

On August 30, 2017, I filed a 2255 motion for my client Stephen Walsh. My client is 73 years old now, and not in the best of health. He has been incarcerated since 2014, sentenced, at age 70, to 20 years by Judge Cedarbaum as a first-time securities offender. There has been no action on the 2255 petition.

I write out of concern that any relief he may receive from a habeas petition should not be too late. In light of petitioner's advanced age and the condition of his health, I most respectfully request the Court to issue an Order directing the government to respond promptly (if it is not apparent from the Petition that relief is justified.)

As shown in the 2255 petition, Mr. Walsh's sentence was driven by a misconception of facts concerning "loss." The Second Circuit overturned the sentence imposed, based on the same record, on my client's co-defendant, Paul Greenwood. The Court of Appeals found plain error, concluding that Judge Cedarbaum had made findings unsupported by the record. My client's trial counsel failed to challenge the "facts."

Upon a flawed understanding of "losses" -- and acting in financial self-interest -- ineffective counsel allowed Mr. Walsh to plead guilty to securities fraud with an appeal waiver up to the 20-year statutory maximum. Because of the waiver, which Mr. Walsh claims was unknowing and involuntary, Mr. Walsh's appeal was dismissed. I most respectfully ask the Court to direct a government response.

Very truly yours,

/s/ Vivian Shevitz

Cc: US Attorney (by ecf)

The government shall respond to the Petition no later than January 5, 2018. Petitioner may reply no later than January 26, 2018.

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE